THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.26095 OF 2005

DATED:13.12.2005

Between:

Racherla Kondaiah

…Petitioner

And

State of Andhra Pradesh

Rep. by its Secretary, Panchayat Raj,

Secretariat, Hyderabad, and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.26095 OF 2005

ORDER:

The petitioner is Sarpanch of Burhanmiyapet Village of Elgode Mandal, Karimnagar District. By impugned proceedings dt.11.11.2005 the second respondent purporting to exercise power under Section 249(1) of the A.P.Panchayat Raj Act, 1994 (for short, the Act), removed the petitioner from the office of the Sarpanch on charges of abuse of power and non-compliance with the orders of the superior authorities. Assailing the same, present Writ Petition is filed raising various contentions.

Though learned counsel for the petitioner, Sri G.Madhusudan Reddy made elaborate submissions, having regard to the provisions of Section 249(7) of the Act, this Court is not inclined to go into the matter at this stage. The petitioner may prefer

appeal before the Commissioner of Panchayat Raj, to whom the powers under Section 249(7) of the Act were delegated by the Government. Petitioner is given liberty to file appeal before the Commissioner within a period of one week from the date of receipt of a copy of this order. The Commissioner is directed to dispose of the appeal within a period of three weeks after submission of the appeal.

The Writ Petition with the above observations and directions is accordingly disposed of.

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(V.V.S.RAO, J)

13.12.2005

bnr

Note: Send a copy of order to

The Commissioner, Panchayat Raj

Hyderabad

(B.O)

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